



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

WAYNE M. SCHOTT

SERIAL NO.: 09/464,869

FILED: December 16, 1999

Atty. Docket

PHA 23,820

GROUP ART UNIT: 2643

EXAMINER: D. Harvey

A LOUDSPEAKER HAVING A DUAL CHAMBER ACOUSTICAL ENCLOSURE WITH TWO EXTERNAL VENTS AND ONE INTERNAL VENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

RECEIVED

MAR 15 2002

Technology Center 2600

PETITION UNDER 37 C.F.R. 1.181

In response to the Notice of Abandonment mailed February 13, 2002, Applicant hereby petitions to withdraw the holding of abandonment.

In accordance with MPEP §711.03(c), the undersigned attorney states that the Notice of Non-Compliant Amendment (37 CFR 1.121), alleged to have been mailed on August 23, 2001, was not received by Applicant. The undersigned Attorney further attests that a search of the file jacket and docket records indicates that the Notice of Non-Compliant Amendment was not received.

Enclosed herewith is a current copy of the front cover of the docket folder for the subject application on which all correspondence with the U.S.P.T.O. is recorded. It should be noted that the notations on the front cover indicate the mailing of the

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application on 12/16/99, the mailing of formal drawings on 10/16/00, the receipt of an Office Action mailed 7/24/01, the mailing of the Amendment on 8/13/01, and the receipt of the subject Notice of Abandonment mailed 2/13/02.

Also enclosed herewith are copies of the 1st and 2nd pages (reproduced on one sheet of paper) of our computerized docket sheet for the subject application, in which, in the "RMKS" section, there is an entry showing the mailing date of the above-noted Notice of Abandonment as well as a due date, but no entry showing receipt of the above Notice of Non-Compliant Amendment or any due date, further indicating that Applicant had not received the above-noted Notice of Non-Compliant Amendment.

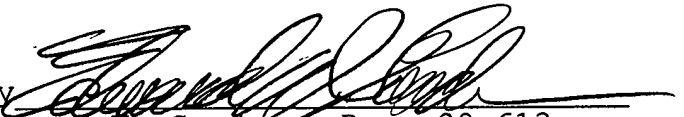
While Applicant does not enter such Notices in its Docket Reports, Applicant has searched its records and has found three other cases in which Notices similar to the above were mailed. In each case, the front cover of the docket folder was annotated with the Notice and the "RMKS" section of the computerized docket sheet included the entry "PAPER MLD (date), RESP DUE (date), MLD (date)" (see attached sheets for PHN 13,964R (Notice of Non-Compliant Amendment), US 010660 (Notice To File Corrected Application Papers) and US 010661 (Notice to File Corrected Application Papers)).

In view of the above, Applicant believes that the holding of abandonment should be withdrawn and that a new Notice of Non-

Compliant Amendment, on which the response date has been reset, be sent to Applicant.

In anticipation of the re-mailing of the Notice and in furtherance of the prosecution of this application, enclosed herewith is a revised copy of the defective Amendment in which the changes to the claims have been properly indicated. This would obviate the need for re-mailing the Notice of Non-Compliant Amendment. As such, Applicant respectfully requests entry thereof.

Respectfully submitted,

by 
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as First-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On February 25, 2002

By 

CORPORATE INTELLECTUAL PROPERTY

WAC CODE

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APPLN. NO: 10/017, 596

FILING DATE 12/14/01

PH 0501066

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Remarks _____

ATTORNEY

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INTELLECTUAL PROPERTY DEPARTMENT

WAC CODE

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Title A loudspeaker having a dual chamber
acoustical enclosure with two external...

Assignee PENAC

Assignment Recorded 12/16/1999 Reel 010482 Frame 0374-0375

SER. NO. 09/464,867

FILING DATE 12/16/99

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| Remarks | charge authorization 12/16/99 |
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ATTORNEY

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INTELLECTUAL PROPERTY DEPARTMENT

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(Re-issue)

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STATUS: PENDING Atty: MURPHY CDD: RLIS PHN 1396AR
 Outsource/Consultant: Who: When: Client Manager:

RESP: STATUS 1111R DUE: 07/12/94 DIES: SERIAL No FILED
 RESP: DUE: DIES: PRU: REG: 097729552 088/25

Conf. No.: I.D.: 08 73471 RCUD: 080317
 P.E.: 0000 J.H. DE

INVENTOR: VAN LIEBEN, PIETER G. REINBERT, GERT H. UPDATED: 01/05/94
 FLOC: PCT:

TITLE: APPARATUS FOR RECORDING A COUNT SIGNAL IN A FIXED
 ... LOCATION REGARDLESS OF TRANSPORT VELOCITY IN ... PROJECT

ORIGIN: 0000110.2 PRI DIE: 02/11/94 ANCI: PAREN 001366 02/11/94 ISS
 ANCI: ANCI: ANCI:

Assign: 0000
 Rec: 000019 Hld P10: 000001 Recorded: 000000 ANCI:

LINKS: RE ISSUE OF F.017.058; PAPER HLD 010002, RESP DUE 01/05/94, HLD 010004

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Patent Record 11551/17358 Record Unlocked 11:13 AM

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Patent: Issued: Expires: C/D Hld: Granted:

Hearing Date: Conf. Hld:

Pkg Hld: Commitment: Qrr: Made: Die:

For Filed: PHN 1396AR

Pub.No.: Date: Fee Due: Rsp.Hld: Pd?:

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